

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN RE:

Alvin J. Johnson,

DEBTOR.

CHAPTER 13
CASE NO. 16-41277-PJS
JUDGE PHILLIP J. SHEFFERLY

**TRUSTEE'S OBJECTION TO CONFIRMATION OF THE
DEBTOR'S SECOND MODIFIED, PRE-CONFIRMATION CHAPTER 13 PLAN**

NOW COMES the Chapter 13 Standing Trustee in this matter, David Wm. Ruskin, and objects to confirmation of the debtor's Second Modified, Pre-Confirmation Chapter 13 Plan, and in support thereof states as follows:

1. Based upon the debtor's Schedule A/B, the debtor discloses the value for the real property located at 6826 Colvert Street, Detroit, Michigan, with a fair market value of \$5,000.00. Further, based upon the debtor's amended Schedule A/B, the debtor discloses an interest in real property located at 6818 Colvert Street, Detroit, Michigan, with a fair market value of \$1,000.00. The Trustee requests that the debtor provide objective documentation in support of the valuation of these real properties so that the Trustee can determine if the debtor's Plan complies with 11 U.S.C. Section 1325(a)(4).

2. The amount of the proposed funding in the Plan is not sufficient to pay all claims as proposed in the Plan (the Plan is underfunded). Therefore, the debtor fails to provide for the submission of sufficient future earnings or future income for the execution of the Plan as required by 11 U.S.C. 1322(a)(1).

WHEREFORE, the Chapter 13 Standing Trustee requests that this Honorable Court deny confirmation of the debtor's Chapter 13 Plan.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: May 20, 2016

By: /s/ Thomas D. DeCarlo

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**CERTIFICATE OF SERVICE OF TRUSTEE'S OBJECTION TO CONFIRMATION OF
THE DEBTOR'S SECOND MODIFIED, PRE-CONFIRMATION CHAPTER 13 PLAN**

I hereby certify that on May 20, 2016, I electronically filed the Trustee's Objection to Confirmation of the debtor's Second Modified, Pre-Confirmation Chapter 13 Plan with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

BERMAN & BISHOP PLLC
24405 GRATIOT
EASTPOINTE, MI 48021-0000

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

Alvin J. Johnson
6819 Covert Street
Detroit, MI 48212

_____/s/ Jayme L. DePriest

Jayme L. DePriest
For the Office of David Wm. Ruskin,
Chapter 13 Standing Trustee - Detroit
1100 Travelers Tower
26555 Evergreen Road
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